

EXHIBIT 24



Dec 14 2005
5:29PM

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December 14, 2005

BY E-MAIL AND ELECTRONIC SERVICE

L. Timothy Terry
Deputy Attorney General
Office of the Attorney General
198 North Carson Street
Carson City, NV 89701

Jeniphr A. Breckenridge
Hagens Berman Sobol Shapiro
1301 Fifth Avenue
Suite 2900
Seattle, WA 98101

Re: Nevada AWP Actions

Dear Tim & Jeniphr:

This letter responds to your December 9, 2005, regarding Nevada's proposed email search and production. In that letter you requested that Defendants identify the individuals whose emails we would like searched and provide specific search terms. Defendants believe it is the State's burden to ensure that its discovery obligations are satisfied. Nonetheless, Defendants ask that the State begin by searching the emails of the following former and current Medicaid employees whose depositions we have either taken or noticed: Charles Duarte, Coleen Lawrence, John Liveratti, Vicki Langdon, Carol Tilstra, Patrick Cates, Mary Wherry, Phil Nowak, Janice Wright, Chris Thompson, Deborah King, Rebecca Ward, Dion Coston, Laura Squartsoff, and Keith McDonald. Defendants reserve the right to request email searches for the other State employees that we have noticed for deposition, as well as any additional witnesses that we learn in discovery may possess relevant information.

As for specific search terms, we propose that you start with the list below. Our understanding is that these are very similar to the search terms that were agreed upon by the parties in the State of Connecticut actions. Our position is that **all** electronic documents (e.g., PDF files, spreadsheets, Powerpoint presentations) need to be searched and produced, not just emails.

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Given the approaching discovery deadline and depositions we have noticed for January we ask that you use your best efforts to complete this search and production as soon as possible so that we have these documents in sufficient time to prepare for depositions. Please feel free to contact me or Ron at any time to discuss the issues raised in this letter.

Sincerely,

/s/ Jason R. Litow

cc: Counsel of record (by electronic service)

PROPOSED SEARCH TERMS FOR STATE OF NEVADA'S EMAIL SEARCH

Company Names

A search should be done for each of the company names identified in the Nevada complaints.

Subject Drugs

A search should be done for each of the Subject Drugs identified in the Nevada complaints.

Terms Related to Reimbursement

Medicaid & reimburs*
Medicare & reimburs*
"Medical assistance program" & reimburs*
drug & reimburse*
(physician or pharmac* or provider) & reimburs*
Medicaid & spread
Drug & spread
(OIG or "office of the inspector general") & (Medicaid or "medical assistance program")
(DOJ or "department of justice") & (Medicaid or "medical assistance program")
Dispens* w/10 fee or cost
"Professional cost"
Reimburs* & spread
Return w/3 practice

Terms Related to Pricing Benchmarks

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AWP or "average wholesale price"
WAC or "wholesale acquisition cost"
BP or "best price"
AAC or "actual acquisition cost"
AAP or "actual acquisition price"
ASP or "average sales price"
AMP or (average w/1 manufactur* w/1 price)
MAC or (maximum w/1 allow* w/1 charge or cost)
FUL or "federal upper limit"
SUL or "State upper limit"
FAC or "Federal acquisition cost"
EAC or "estimated acquisition cost"
NWP or "net wholesale price"
WPP or "wholesale purchase price"
SLP or "suggested list price"
Usual w/2 customary w/2 cost or charge
(OIG or "office of the inspector general") & AWP
(DOJ or "department of justice") & AWP

Terms Related to Claims Processing

(Medicaid or "medical assistance program") & claims & handling
Anthem & (Medicaid or "medical assistance program")
Anthem & reimburs*
"First Health" & reimburs*

Terms Related to Physician Administered Drugs

"J code"
J-code
"J" w/2 code
injectable
injection
oncologist
physician w/2 administered

Terms Related to Price/Market Share Reporting Services

"First Data Bank" or "First Databank" or FDB
"Red Book" or Redbook
"Blue Book"
Medispan
IMS
Price Probe

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“Facts & Comparisons”
“Master Drug Database” or MDDB
“Allen & Hansbury” or “Allen & Hanbury”
“Price Chek”
“Price Alert” or “PriceAlert”

Miscellaneous Terms

(RFP or “request for proposal”) & (Medicaid or “medical assistance program”)
Cardinal
McKesson
Mercer
“Myers & Stauffer”
NMPAAtalk@listbot.com
NAMFCU or “National Association of Medicaid Fraud Control Units”
NAAG or “National Association of Attorneys General”
NASMD or “National Association of State Medicaid Directors”
“Nevada Retail Association”
“Nevada Pharmacy Alliance”
PTAG
NACDS or “National Association of Chain Drug Stores”
NCPA or “National Community Pharmacists Association”
NPA or “Nevada Pharmacists Association”
HCFA & AWP
CMS & AWP
“benefit* consultant”
HealthInsight
Health w/2 Insight
Ven-A-Care
“Health Information Design”
“Adequate access”
“access to care”
“equal access”
sticker w/2 price
list w/2 price
drug & “state plan”
drug & rebate
drug & discount
drug & chargeback

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Additional Directions

Every term where the word “drug” is used should also be searched for the word “pharmaceutical.”